

THE GEORGE WASHINGTON UNIVERSITY
Washington, D. C.

MINUTES OF A REGULAR MEETING OF THE
FACULTY SENATE HELD ON JANUARY 19,
1973, IN THE FACULTY CONFERENCE ROOM,
SIXTH FLOOR, LIBRARY

- 1 The meeting was called to order at 2:12 p.m., by President Elliott.

Present: President Elliott, Registrar Houser, Parliamentarian Stevenson, Angel, Barrett, Birnbaum for Feffer, Davison, Eisenberg, Foa, Griffith, Harris, Highfill, Hobbs, Kaye, Kirsch, Kurtz, Marinaccio, Mastro for Dockeray, Metivier for Linton, Morgan, Parrish, Pierpont, Reesing, Reich, Schiff, Schwoerer, Stevens, Tillman, and Vahouny.

Absent: Provost Bright, Allen, Black, Breen, Burns, R. Kramer, Liebowitz, Nash, and Sapin.

- 2 The minutes of the regular meeting of December 8, 1972, were approved as distributed.

- 3 a. Professor Kaye, Chairman of the University Resources Committee, moved the adoption of Resolution 72/7, and Professor Stevens seconded the motion. Professor Kaye stated that it was the consensus of the committee that the new name recommended for the committee would more accurately reflect its work, since it deals both with acquisition and allocation of resources, and, further, that this recommendation was made last year in the annual report of the committee. Professor Kirsch said that he would like to convey Professor Wood's comments on the resolution. He stated that Professor Wood did not oppose the resolution, but in order not to confuse the committee's work with the work of the ad hoc Budget Subcommittee, he suggested that in the first preamble clause, the word "has" should be stricken and the word "concerned" should be changed to "concerns," and that the second preamble clause should be stricken entirely. A motion was made and seconded to amend the preamble clauses according to Professor Wood's suggestion. The question was called, voted upon, and passed unanimously. The question was then called on the original motion, voted upon, and Resolution 72/7, as amended, was adopted unanimously. (Resolution 72/7, as amended, is attached hereto and made a part of these minutes by reference herein.)

b. Professor Schwoerer, Chairman of the Appointment, Salary and Promotion Policies Committee, moved the adoption of Resolution 72/8, and Professor Morgan seconded the motion. Referring to the committee's report entitled "Report on the Status of Women Faculty at The George Washington University: Fall 1972," which was distributed to Senate members at the meeting, Professor Schwoerer stressed the necessity of establishing a Commission on Equal Employment Opportunities as recommended by the resolution. Professor Kurtz raised a question about paragraph (c) in the resolving clause of the resolution, stating that he thought it seemed to be overlapping and not directly related to the particular resolution and its objective. He thought it should be made a part

of the preamble rather than the resolving clause. Professor Schwoerer responded that it was included to emphasize that there was no requirement for hiring unqualified individuals and the Committee's concern to protect the integrity of the University against capricious charges which might be brought. Professor Griffith suggested that, perhaps, by changing paragraph (c) in the resolving clause to read, as follows: "(c) to assure that actions taken under (a) and (b) above are such as to protect academic excellence and the integrity of the University," this might remove Professor Kurtz' objection. Professor Schwoerer agreed to accept the change in wording as suggested by Professor Griffith. Further debate was held concerning the original resolution, as amended. Professor Reesing questioned the distinction between quotas and goals, and Professor Schwoerer stated that the goals were not "numerical" but rather "good faith" goals. Professor Kirsch pointed out that data could be analyzed in different ways and that a more in-depth study should be made as overall figures could be misleading. It was his feeling that, as far as Columbian College was concerned, women did not fare too badly, and that the Commission, which he was not opposed to, if established, should determine as its first task its need to continue or abolish itself. Professor Eisenberg noted that, in Engineering, there were no women, and he strongly recommended passage of the resolution. The question was called, voted upon, and Resolution 72/8, as amended, was adopted unanimously. (Resolution 72/8, as amended, is attached hereto and made a part of these minutes by reference herein; report on file in Secretary's Office.)

- 4 a. Professor Stevens, on behalf of the Executive Committee, read the following report concerning the request of Professor John F. Banzhaf III for investigation of allegations made concerning role of University in the U. S. vs. Butler case:

At the request of Professor Banzhaf by his memos dated December 12, 1972, and January 3, 1973, respectively, to Professor Edwin L. Stevens, Chairman, Executive Committee, Faculty Senate, to defer the above matter to a later time because, as he states in the aforementioned memos, 'both I and my colleague Professor Ralph Nash, who formally presented my resolution to the Faculty Senate, will be unable to appear at the regular scheduled meeting on January 19 since it will take place during the period for law school vacation,' the Executive Committee, by a vote of 4 to 1, granted his request for a deferral and will place the matter on the agenda for the regular meeting of the Faculty Senate on February 9, 1973.

Professor Stevens informed the Senate that the Executive Committee had labored hard and long to formulate a resolution for presentation at the February 9th meeting of the Senate and that, while the precise wording was not altogether finalized, it would be ready for inclusion on the agenda for February 9.

- b. President Elliott reported to the Senate, by memo distributed to members at the meeting, upon the progress of Senate resolutions 71/6 through 71/19 relating to Recommendations 1 through 14 of the Commission on Governance Report. He stated that he welcomed the opportunity to bring the Senate up to date on the action taken regarding the resolutions and that each resolution was subject to review at any time that any member of the Senate requested such review, and asked if there were any questions regarding the same. Professor Stevens,

referring to legislation which makes possible faculty membership on the Board of Trustees, asked the President if George Washington University faculty were the only people "in the world" who were not eligible for such membership. President Elliott replied that he did not know the answer to that question, but that the matter was before a committee of the Board of Trustees. (Memo is attached hereto.)

- 4 c. Dr. Pierpont, Chairman of the Professional Ethics and Academic Freedom Committee, reported to the Senate, by letter distributed to members at the meeting, upon the action of the committee regarding Recommendations VI, VII, VIII, and IX from the President's Task Force for the Medical Center regarding appointment, procedures and faculty. He stated that at the request of Associate Dean Birnbaum in his memo dated December 13, 1972, to the committee, to withdraw the matter from consideration by the Faculty Senate until it had been acted upon by the Faculty of the Medical Center, the committee considered itself released from further action and would hold the matter in abeyance. (Letter and memo are attached hereto.)
- 5 a. Professor Stevens, on behalf of the Executive Committee, placed in nomination before the Senate the following names:

- (1) For election to the Committee on Professional Ethics and Academic Freedom:

Professor Milton Crane, English, to serve as replacement for Professor Wood;

Professor Russell B. Stevenson, Jr., Law, to serve as replacement for Professor Roger S. Kuhn;

- (2) For election to the Committee on Appointment, Salary and Promotion Policies:

Professor Charles M. Gilmore, Engineering, to serve as replacement for Professor Barry Hyman;

Professor Thelma Z. Lavine, Philosophy, to serve as replacement for Professor Andrew Gyorgy.

The Chair called for nominations from the floor in each instance; there being none, the above-named nominees were elected unanimously.

b. Professor Stevens, on behalf of the Executive Committee, nominated the following persons for the committee to nominate the Executive Committee: Professors Frederick C. Kurtz, Temporary Chairman (SGBA); Richard C. Allen (Law); James L. Breen (Education); Philip H. Highfill, Jr. (GSAS); John Kaye (Engineering); Arthur D. Kirsch (Columbian College); and Alvin E. Parrish (Medical).


There being no nominations from the floor, the slate was elected.

- 6 Under Brief Statements, Professor Stevens said that he wished to make two statements. First, he wanted to remind all chairmen of the committees that annual reports would be due at the next meeting of the Senate. Secondly,

he wanted to move that the letter directed to him as Chairman of the Executive Committee, dated January 5, 1973, from the President, answering certain charges and allegations concerning the University's role in the U. S. vs. Butler case, be included in and made a part of the record of the minutes of the Senate meeting. Professor Kirsch seconded the motion. The Chair asked for discussion; there was none. The question was called, voted upon, and carried unanimously. (Copy of the letter is attached hereto and made a part of these minutes by reference herein.)

Professor Griffith said he wished to comment upon the Steering Committee for the All-University Assembly with respect to the fact that since two of its members, Professors LeBlanc and Wood, had requested leave from this committee, the committee's faculty participation would be reduced to four. He felt that the committee was at a rather crucial decision-making stage and suggested to the Senate that, perhaps, it should consider nominating and electing two replacements for appointment to this committee. Professor Stevens said the Executive Committee would consider the matter and place it on the agenda for the February 9th Senate meeting.

- 7 The meeting was adjourned by President Elliott at 2:55 p.m., upon motion duly made and seconded.


Frederick R. Houser,
Secretary

A RESOLUTION TO CHANGE THE NAME OF THE COMMITTEE ON UNIVERSITY RESOURCES (72/7)

WHEREAS, The Committee on University Resources ~~has concerned~~ ^{concerns} itself with both the acquisition and the allocation of resources; and

~~WHEREAS, The Budget Sub Committee of the Executive Committee is currently concerned with some phases of the allocation of resources; and~~

WHEREAS, A committee's name should reflect its role; therefore,

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY,

That the Committee on University Resources shall henceforth be called the Committee on University Development and Resources.

Committee on University Resources
November 22, 1972

Adopted, as amended, January 19, 1973

A RESOLUTION TO ESTABLISH A COMMISSION ON EQUAL EMPLOYMENT OPPORTUNITIES (72/8)

WHEREAS, The George Washington University has an avowed, publicly stated policy of non-discrimination in the recruitment, appointment and promotion of faculty; and

WHEREAS, Federal laws such as the Equal Pay Act of 1963, the Civil Rights Act of 1964, as amended with respect to Title VII in 1972, and the Higher Education Act of 1972 separately and together prohibit educational institutions from discriminating on the basis of race, color, religion, sex, or national origin with regard to hiring, promotion, granting of tenure and salary; therefore,

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY,

That the Faculty Senate recommends to the President that he establish a Commission on Equal Employment Opportunities whose purpose would be:

- (a) to seek ways to correct existing disparities and to improve compliance with existing federal civil rights laws, recent governmental orders and court decisions;
- (b) to promulgate non-discriminatory policies and to implement them for the benefit of all members of the University community;
- ~~(c) to assure academic excellence, as well as to protect the integrity of the University.~~
- (c) to assure that actions taken under (a) and (b) above are such as to protect academic excellence and the integrity of the University.

Committee on Appointment, Salary and
Promotion Policies (including Fringe Benefits)

January 5, 1973

Adopted, as amended, January 19, 1973

January 19, 1973

MEMORANDUM TO: Faculty Senate

FROM: Lloyd H. Elliott

SUBJECT: Status of Resolutions 71/6 - 71/19

- 71/6 Further efforts should be made to establish and to utilize, imaginatively and aggressively, the Departmental Advisory Committees and the School or College Advisory Councils.

Action:

This recommendation has received serious and lengthy consideration from various divisions of the University, including the Committee on Student Affairs of the Board. A report from the Chairman of this Committee, Trustee John Duncan, is attached. (See Exhibit 1).

- 71/7 At least two students should be named to each of the committees of the Board of Trustees other than those that deal with faculty salaries and matters requiring especially confidential handling.

Action:

The Board of Trustees has approved the appointment of one student to membership on the Trustee Committee on Student Affairs and the Trustee Committee on Academic Affairs. The full recommendation has been considered at some length by the officers of the Board, and present sentiment suggests that further experience be gained from these two committees before considering additional appointments to either these or other committees of the Board.

- 71/8 At least two members of the faculty should be named to all committees of the Board of Trustees, except the Executive Committee.

Action:

The same actions taken regarding students reported in 71/7 above have been repeated for faculty members, and no further developments are anticipated at this time.

1/19/73

2.

- 71/9 The Faculty Senate recommends that the Board of Trustees seek to remove the exclusion of faculty from such service (membership on the Board) from the Charter of the University.

Action:

This matter is currently under consideration by the Committee on Trusteeship of the Board of Trustees.

- 71/10 The Board of Trustees should limit the terms of service of its members to two successive terms, with the proviso that after a member has been off the Board for a year he could be reelected.

Action:

The recommendation has been examined, accepted in full, and through appropriate changes made in the Bylaws of the Board, is now in effect.

- 71/11 An All-University Assembly (composed of individual trustees, administrative officers, faculty members, students, alumni, and public members) should be established to discuss at regular intervals matters of interest to any constituency within the University, and regularly to report to and advise the trustees and the President.

Action:

This recommendation has been under active consideration by many of the constituencies of the University and has received considerable support. The Trustees in January 1972 authorized the President to appoint a Steering Committee to draw up the plans for an All-University Assembly. That Steering Committee is now engaged in its rather formidable task.

- 71/12 An agency of student government should be reconstituted to provide a means to formulate and reflect student opinion.

Action:

Various officers and members of the faculty have encouraged students to implement this recommendation. While there is now some interest among some students no formal student government has yet been reconstituted.

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3.

- 71/13 The Board of Trustees should establish the practice of comprehensively reviewing the performance of the President, and reelecting or replacing him every ten years, or at such times as the President may request.

Action:

This recommendation has been presented to the Board of Trustees and remains with the trustees to be considered as the Board may wish.

- 71/14 The President should establish the practice of comprehensively reviewing the performance of the vice-presidents, deans, and major administrative officers, in consultation with the faculty, for the purpose of reappointing or replacing them at least every five years and at such additional times as they may individually request.

Action:

This matter is currently being considered by the Committee on Academic Affairs of the Board of Trustees.

- 71/15 A comprehensive review of rules and regulations governing student conduct should be undertaken and such revised rules and regulations given adequate publication.

Action:

This very formidable piece of work has been completed and the resulting publication has been distributed.

- 71/16 The Faculty Senate should take the lead in broadly based studies and discussion leading to the formulation of a code of conduct dealing with rights and responsibilities of the faculty and others in more detail than is presently furnished by the Faculty Code and Ordinances.

Action:

This recommendation is being pursued vigorously by the Faculty Senate and as a result of the leadership of this body a new definition of rights and responsibilities of faculty members is under active consideration in each of the academic units of the University.

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4.

- 71/17 Careful and continued attention should be directed to improving the quality and increasing the availability of academic advising, particularly for undergraduate students.

Action:

All deans have been urged to proceed aggressively to implement this recommendation. The Dean of Columbian College has established advising offices which are staffed five days each week in an attempt to respond to this need. Efforts have been made in other schools and colleges toward strengthening the advising service but this activity remains one of serious concern.

- 71/18 An office of University ombudsman, if experimental efforts prove successful, should be established outside the hierarchy of administration.

Action:

A limited experimental program under the supervision of the Vice President for Student Affairs is now in effect. If such efforts prove successful, the recommendation will be implemented to the degree that resources will permit.

- 71/19 A standing Committee on University Communications should be appointed by the President, charged with the responsibility for determining what audiences the University should reach with its publications, for what purpose and with what means.

Action:

This recommendation is accepted by the administration as being highly desirable and the Vice President for Development is now considering the best ways by which it may be implemented.

Report of the Chairman, Committee on Student AffairsStated Meeting of the Board of Trustees, March 16, 1972

As reported at the January meeting of the Board, the Committee on Student Affairs has reviewed progress in providing for student involvement in academic policy-making within the University's schools, colleges, and academic departments. In this review, the Committee's intent was to see whether the existing Departmental Advisory Committees and the School and College Councils constitute "clearly-defined means for student participation in academic policy-making." This was the task set for these committees and councils by the Statement of Student Rights and Responsibilities adopted by the Board in 1970, and reaffirmed by the Commission on Governance in 1971. I now provide a summary of the information reviewed by the Committee.

THE GRADUATE SCHOOL OF ARTS AND SCIENCES has a school advisory council consisting of four students, four faculty, and four community members. Recommendations from the school council's first meeting, this year, indicate the breadth of its students' involvement. These recommendations concerned changes in the grading system, the institution of annual student progress-reports, the need to inform prospective students of the research interests of the faculty, improvements in the guidance of foreign students, and clarifying the functions of graduate student advisors. The School faculty is presently reviewing all of these recommendations for action.

THE SCHOOL OF PUBLIC AND INTERNATIONAL AFFAIRS has a Student-Faculty-Alumni Advisory Committee which has exercised a strong role in recommending curricular improvements. Records of faculty actions on each recommendation are on file with the Student Affairs Committee. Recommendations have been made for adoption of an optional master's thesis; implementing an independent studies course for Master's candidates in History, Economics, and Political Science courses; waiving the General Field requirement for certain student programs; and eliminating comprehensive examinations for superior students.

THE SCHOOL OF MEDICINE has two advisory groups: a Dean's Council, and a Student Advisory Committee to the Dean. The Dean's Council has nine faculty and three student members. At its last meeting, the Council acted on proposals of the President's Task Force on Governance of the Medical Center. The Student Advisory Committee of the Medical School consists of eight class officers, meets monthly, and has made recommendations on matters of its choice since 1957.

THE SCHOOL OF GOVERNMENT AND BUSINESS ADMINISTRATION has an Advisory Committee with student members. Because of the inter-disciplinary nature of this School's degrees, the Committee is School-wide in nature, rather than departmental. Four faculty and six students make up the Committee. The Advisory Committee has recommended changes in the undergraduate curriculum, changes in the uses of graduate teaching assistants, and a pass/fail option for lower-division students.

THE SCHOOL OF ENGINEERING AND APPLIED SCIENCE has a School-wide Advisory Council primarily concerned with development of the School's resources, rather than departmental curricular matters. This Council therefore includes but one student, the President of the Engineer's Council, in its membership. Each department of the School has, however, created a balanced body to make recommendations concerning grading, courses, and other academic matters. The Department of Electrical Engineering and Computer Science has an Advisory Committee with two faculty and four student members; the Department of Engineering Administration has a Committee with two faculty, two students and two alumni members; the Department of Operations Research has three faculty and three student members on its Committee. An Engineers' Council, consisting entirely of students, provides liaison between all students and faculty.

THE NATIONAL LAW CENTER Advisory Council includes two students, as well as alumni, trustees, and faculty. This Council has studied the School's graduate programs, admissions policies, funded projects, and research capability.

THE SCHOOL OF EDUCATION does not yet have an overall advisory council, but has active councils for its departments. The Department of Education is advised by an Ad Hoc Student-Faculty Committee including four students. It is also advised by an Association of Graduate Students in Higher Education. The Department of Special Education is advised by an organization of doctoral students. There is no organized group as yet at the master's level. The Department of Physical Education is advised by a Service Committee and an undergraduate Committee, both with student membership.

THE COLUMBIAN COLLEGE OF ARTS AND SCIENCES has had, since 1967, a College-wide Advisory Council whose focus has been on resource-development. This Council does not yet have student representation, but is now organizing a means of providing for it.

Of the departments of Columbia College, the following have active advisory councils with student membership: Anthropology, Art, Economics, English, Geography, Germanic Languages and Literatures, Journalism, Latin American Studies Program, Mathematics, Music, Philosophy, Physics, Religion, Speech and Drama, American Studies, Biology, Political Science, and Slavic Languages.

Of the remaining Columbia College departments, as of the date of this report, Chemistry does not have a currently active council; Geology does not have a formal council as such, but holds overall discussions with all students and faculty; Psychology does not have an active council but is organizing one; Statistics has a council which is not presently active; Classical Languages and Literatures has a council without students, and is making plans to include them; Sociology does not have an active council.

It was of interest to the Committee on Student Affairs to note the specific activities of the active departmental councils in this college; two examples are:

The Art Department Advisory Council, consisting of four students and three faculty, meets once each term and has recommended an undergraduate course in Art Research Techniques and Methodology, an orientation program for graduate students, and changes in the grading system.

The Economics Department has two councils, with students on one, faculty on the other. These meet both jointly and separately. The student advisory council has recommended new courses, new sectioning of undergraduate electives, and changes in required graduate courses. These recommendations are presently under faculty study.

CONCLUSIONS: As a result of its review, the Student Affairs Committee notes that with only a few exceptions there exist clearly-defined means for student participation in academic policy formulation, both in the colleges and in their departments.

Further, the Committee notes that these means for participation are in widespread use. Most of the participation is advisory in nature, rather than by policy-determining vote. The structure for this kind of participation is strong. It is clear to the Committee that the most substantial academic involvement for students, as for faculty, rests appropriately at the departmental level, rather than with the school or college.

The Committee has been advised that the University is continuing to remind those departments and schools whose advisory councils are not yet functioning, of the need to proceed with their implementation. The Committee strongly supports this reminder action.

The Student Affairs Committee suggests that steps be taken by the University to describe to George Washington students, faculty and alumni the overall work of the advisory councils, and their record of student involvement in the development of academic policy.

John B. Duncan
Chairman



Faculty Senate

MEMORANDUM

4 January 1973

TO: Professor Edwin L. Stevens
Chairman, Executive Committee, Faculty Senate

FROM: Howard Pierpont M.D. *Howard Pierpont*
Chairman, Professional Ethics and Academic Freedom
Committee

Re: Recommendations VI, VII, VIII and IX from the President's
Task Force for the Medical Center regarding appointment,
procedures and faculty

Whereas, this committee was charged by the Executive Committee in April 1972 to make comments and recommendations on the above subject, and

Whereas, this committee reported its recommendations to the Faculty Senate on 10 November 1972 stimulating discussion which resulted in a special meeting of Associated Dean Birnbaum with this committee, and

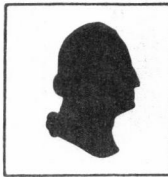
Whereas, the attached memorandum from Associate Dean Birnbaum, dated 13 December 1972, formally requested that the items be withdrawn from consideration by the Faculty Senate until the matters contained therein can be acted upon by the Faculty of the Medical Center.

The Committee on Professional Ethics and Academic Freedom agrees it is appropriate to consider it is released of the above charge at the present time or until such time as the items have been acted upon first by the Faculty of the Medical Center.

cc: President Elliott
Provost Bright
Vice President Feffer
Associate Dean Birnbaum

THE
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Washington, D.C. 20006



RECEIVED DEC 14 1972

THE GEORGE WASHINGTON UNIVERSITY
MEDICAL CENTER

*Office of the Associate Dean
for Administrative Affairs*

December 13, 1972

MEMORANDUM TO : Howard Pierpont, M.D.
Chairman
Faculty Senate Committee on Professional Ethics
and Academic Freedom

A review of the minutes of the December 15, 1971, meeting of the Faculty of the Medical Center shows that the Faculty (as distinct from the Executive Faculty) did not vote on the approval of the last four items (VI, VII, VIII and IX) of the report of the President's Task Force. In the light of this, and as we discussed at the special meeting of your Committee on December 11, it is not appropriate for the Senate to review, at this time, the matters contained in those items. Accordingly, it is formally requested hereby that the items be withdrawn from consideration by the Senate until the matters contained therein can be acted on by the Faculty of the Medical Center.

Philip S. Birnbaum
Associate Dean for
Administrative Affairs

cc: President Elliott
Provost Bright
Vice President Feffer
Professor Stevens, Chairman, Executive Committee
of the Faculty Senate



THE
GEORGE
WASHINGTON
UNIVERSITY

Washington, D.C. 20006 / Office of the President / (202) 676-6500

January 5, 1973

Professor Edwin L. Stevens, Chairman
Executive Committee
Faculty Senate
The George Washington University

Dear Professor Stevens:

On December 7, 1972, I issued a statement answering charges that were made against the University after the criminal trial in U.S. v. Butler.

I have now been criticized by a member of the Law School Faculty for taking six days to investigate the charges against the University and, further, have been accused of not discussing or denying other allegations that University officials may have in some way assisted the defense in the criminal case. As to the delay of six days, suffice it to say that any reasonable person would realize that it takes time to investigate charges of the nature made against the University, particularly when those charges consist mainly of innuendoes drawn from newspaper accounts. In each instance those who have made charges of wrongdoing against the University have appeared to accept as fact the statements made in the newspaper accounts surrounding the Butler criminal trial. I intended my statement of December 7 to be a complete statement of the University's role in this matter. However, since additional allegations are being made in an attempt to have the Faculty Senate appoint a committee to investigate the University's role in the Butler case, I have deemed it necessary to answer certain questions raised by members of the Law School Faculty.

I am accused that my statement of December 7 "... does not mention, much less deny, the allegation that the two University physicians who examined the co-eds were asked to change their reports in a way which would favor the defense." I do not feel I should speak on behalf of the two doctors who initially examined the two students on the night of the incidents and, therefore, I have asked each of them to reply in writing to these accusations. I have attached hereto copies of Doctors Koch's and Starkweather's statements denying these allegations.

At this point, I think it should be made clear that of the two students (whom I will refer to as Student A and Student B) the parents of Student B only, filed a civil suit against the University. Student B was initially examined by Dr. Koch in the early morning hours of February 8, 1972. As Dr. Koch explained, he performed a "rape check" and filled out a District of Columbia Government form indicating his findings and the results of his examination which was signed by Dr. Koch, the student and a representative of the Metropolitan Police Department. Student A was examined by Dr. Starkweather, but no "rape check" was made because this student denied that she had in fact been raped.

It has also been alleged that the statement of December 7, 1972 "... does not discuss, much less deny that the University refused to make available to a witness for the prosecution, (William E. Knorr) a former University employee, a detailed report he filed with the University on the night of the alleged incidents." The person or office of the University where Mr. Knorr allegedly sought this report is not specified so we have checked with members of the security force, certain logical management people of the University Center but none of them received such a request from Mr. Knorr. Our investigation has disclosed that Mr. Knorr did file a routine night manager's report, a copy of which I attach to this statement.

It has also been alleged that the December 7 statement "... did not respond to the most serious charge that it (the University) had assisted the defense." So there will be no further misunderstanding, I would at this time like to state that no administrative official of the University assisted the defense counsel in the criminal case. Furthermore, no other agent of the University, including members of the Security Force voluntarily assisted the defense attorney, except in the instance outlined in my December 7 statement, concerning the three student witnesses. The University's policy is to require a subpoena for the release of its records or any information required of it in either criminal or civil cases. This would apply equally to the prosecutor or defense counsel. However, a member of the University's security force, who was present in Court under subpoena issued by defense counsel, did take pictures of the outside area surrounding the fire house, located on campus, at the request of defense counsel during the time of the trial. These pictures were later introduced into evidence at the trial by the defense counsel. I would simply point out that the area is available for photographing 24 hours a day.

In regard to the allegation that attorneys representing the University security guard may have acted as "the go-between" in assisting the defense, I have investigated this charge and find no evidence to support it.

In addition, it troubles me that those who would hurl accusations at the University that it assisted the defense in this case have overlooked, or have purposely ignored, the statement of the defendant's attorney, Mr. Dwyer, which was published in "The Hatchet" on December 4, 1972. Mr. Dwyer is quoted by Hatchet News Editor, Brad Manson, as follows:

"The University refused to give me any of the relevant documents before the trial," Dwyer said. "All of the University Officials I called did not discuss it (the case) one time prior to going to court", he added.

"Stating that he was 'quite unhappy with the Post articles' and that 'nothing could be further from the truth,' Dwyer said, 'I was not overwhelmed with aid from the University or their legal staff or offices. I got more cooperation out of the prosecution than I did from GW'."

Insofar as the steps taken and being taken by the University to defend itself against the Five Million Dollar lawsuit brought by the parents of Student B, I can say that the attorneys advise me it is inappropriate to go into further detail in regard to matters that will be litigated in the civil suit. This case is presently in the discovery stages.

Sincerely,


Lloyd A. Elliott

THE GEORGE WASHINGTON UNIVERSITY
INTERDEPARTMENTAL MEMORANDUM

I was on duty as a resident at The George Washington University Hospital in the early morning hours of February 8, 1972 and was asked by a Metropolitan Police officer to examine a young woman who reported that she had been raped. I did examine this young woman and noted my findings on a District of Columbia Government form, and did, some ten days later, prepare a more detailed report outlining my findings. I have never been asked by anyone to change my report or my findings, and furthermore, state unequivocally that I did not do so.

I have not been authorized by the young lady in question to divulge any of the information or findings contained in my report, and under the law I am precluded from doing so without her written authorization.

George Washington University

January 4, 1973

THE GEORGE WASHINGTON UNIVERSITY
INTERDEPARTMENTAL MEMORANDUM

I was on duty as an intern at The George Washington University Hospital in the early morning hours of February 8, 1972 and was asked by a Metropolitan Police officer to examine a young woman who reported that she was a victim of an attempted rape. I did examine this young woman and noted my findings on a District of Columbia Government form. I have never been asked by anyone to change my findings, and furthermore, state unequivocally that I did not do so.

I have not been authorized by the young lady in question to divulge any of the findings contained in my report, and under the law I am precluded from doing so without her written authorization.

Raymond J. St. Pierre, M.D.

January 5, 1973



Vice-President for Administration

December 28, 1972

MEMORANDUM TO: Mr. Joseph Opalek, Investigator, Office of Safety and Security

In connection with the recent criminal case, "United States vs. Butler," certain allegations have been made by the news media and some individuals about the role which the University played in the trial. In order to ascertain the true facts in the situation we are attempting to clarify the University's role. For instance, the following statement has been made:

"The statement does not discuss, much less deny, that the University refused to make available to a witness for the prosecution, a former University employee, a detailed report he filed with the University on the night of the alleged incidents. Again quoting from reporter Barry Kalb, 'One witness, William P. Knorr, was night manager at the University's student union building where the first assault took place. He said that when he was asked to testify for the Government he asked the University for a copy of the report he had filed the night of the incident, and the University refused to give it to him. . . 'The records were pretty much impounded by University officials,' Knorr said. 'They just scooped up everything and they covered up everything.' Again, although such conduct might very seriously discourage cooperation between employees and/or students and the administration, and although both this and the preceding allegation had been widely reported and cited by me in my call for the appointment of an investigation committee, neither was mentioned, much less discussed or denied, in the University's lengthy statement."

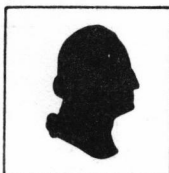
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H. John Cantini, Jr.

1. ☐ Yes, Mr. Knorr made the request to me.
2. ☒ No, I know nothing about such a request.


Signature

THE
GEORGE
WASHINGTON
UNIVERSITY



Vice President for Administration

December 28, 1972

MEMORANDUM TO: Mr. Boris Bell, Director, Marvin Center

In connection with the recent criminal case, "United States vs. Butler," certain allegations have been made by the news media and some individuals about the role which the University played in the trial. In order to ascertain the true facts in the situation we are attempting to clarify the University's role. For instance, the following statement has been made:

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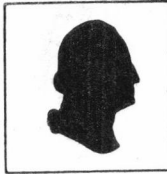
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2. ☒ No, I know nothing about such a request.

Signature

12/28/72

THE
GEORGE
WASHINGTON
UNIVERSITY



Vice President for Administration

December 28, 1972

MEMORANDUM TO: Mr. Donald Cotter , Asst. Director, Marvin Center

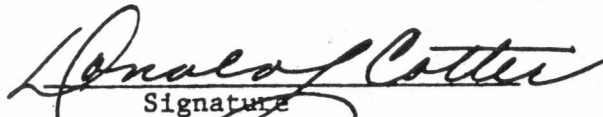
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2. ☒ No, I know nothing about such a request.


Signature

THE
GEORGE
WASHINGTON
UNIVERSITY



Vice President for Administration

December 28, 1972

MEMORANDUM TO: Mr. Harry Geiglein, Director, Office of Safety and Security

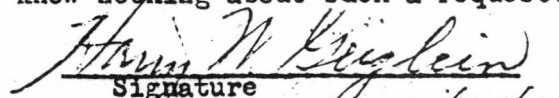
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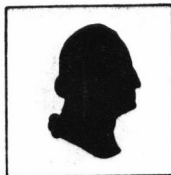

H. John Cantini, Jr.

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2. ☒ No, I know nothing about such a request.


Signature
12/28/72

THE
GEORGE
WASHINGTON
UNIVERSITY

Washington, D.C. 20056



December 28, 1972

Vice President for Administration

MEMORANDUM TO: Mr. Byron Matthai, Asst. Director, Office of Safety and Security

In connection with the recent criminal case, "United States vs. Butler," certain allegations have been made by the news media and some individuals about the role which the University played in the trial. In order to ascertain the true facts in the situation we are attempting to clarify the University's role. For instance, the following statement has been made:

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1. ☐ Yes, Mr. Knorr made the request to me.
2. ☒ No, I know nothing about such a request.

Byron G. Matthai
Signature

THE
GEORGE
WASHINGTON
UNIVERSITY

Washington, D.C. 20057

Attch 6.

Rec'd 4 Jan 73

H. John Cantini
H. John Cantini, Jr.

4 Jan 73

Marvin Center
Night/Weekend Managers Report

Scheduled Activities:

Maintenance:

Security: *I have been able to reaffirm with date that I did not work on Saturday, December 18th, I*
Personnel: *merely made an error and signed the time sheet.*

Physical Plant:

Theft, Vandalism, Damage: *Attempted rape of after closing (11:30 p.m.)*

General Comments: *Extremely quiet evening, almost no activity in the building whatsoever.*

Managers Name William P. Kman Date 2-7-72

THE GEORGE WASHINGTON UNIVERSITY
Washington, D. C.

The Faculty Senate

January 10, 1973

The Faculty Senate will meet on Friday, January 19, 1973, at 2:10 p.m., in the Faculty Conference Room on the sixth floor of the Library.

AGENDA

1. Call to order
2. Minutes of the regular meeting of December 8, 1972
3. Resolutions:
 - (a) A RESOLUTION TO CHANGE THE NAME OF THE COMMITTEE ON UNIVERSITY RESOURCES (72/7), Chairman John Kaye, University Resources Committee
 - (b) A RESOLUTION TO ESTABLISH A COMMISSION ON EQUAL EMPLOYMENT OPPORTUNITIES (72/8), with report by Chairman Lois G. Schwoerer, Appointment, Salary and Promotion Policies Committee
4. Reports:
 - (a) Report by Executive Committee regarding request of Professor John F. Banzhaf III for investigation of University's role in the case of U. S. vs. Butler (see attachment 4[a])
 - (b) Progress report by President Elliott regarding Senate Resolutions 71/6 through 71/19 relating to Recommendations 1 through 14 of the Commission on Governance Report as reflected in the minutes of December 10 and 17, 1971, Senate meetings
 - (c) Report by Professional Ethics and Academic Freedom Committee regarding Recommendations VI, VII, VIII and IX from the President's Task Force for the Medical Center regarding appointment, procedures and faculty
5. General Business:
 - (a) Nomination of the following nominees for election to the Committee on Professional Ethics and Academic Freedom:
 - (1) Professor Milton Crane, English, to serve as replacement for Professor Reuben E. Wood
 - (2) Professor Russell B. Stevenson, Jr., Law, to serve as replacement for Professor Roger S. Kuhn
 - (b) Nomination of the following nominee for election to the Committee on Appointment, Salary and Promotion Policies:
 - (1) Professor Charles M. Gilmore, Engineering, to serve as replacement for Professor Barry Hyman

General Business (continued)

5. (c) Nomination and election of the Nominating Committee for the Executive Committee: Frederick C. Kurtz, Temporary Chairman (SGBA); Richard C. Allen (Law); James L. Breen (Education); Philip H. Highfill, Jr. (GSAS); John Kaye (Engineering); Arthur D. Kirsch (Columbian College); and Alvin E. Parrish (Medical)
6. Brief Statements
7. Adjournment


Frederick R. Houser,
Secretary

A RESOLUTION TO CHANGE THE NAME OF THE COMMITTEE ON UNIVERSITY RESOURCES (72/7)

WHEREAS, The Committee on University Resources has concerned itself with both the acquisition and the allocation of resources; and

WHEREAS, The Budget Sub-Committee of the Executive Committee is currently concerned with some phases of the allocation of resources; and

WHEREAS, A committee's name should reflect its role; therefore,

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY,

That the Committee on University Resources shall henceforth be called the Committee on University Development and Resources.

Committee on University Resources
November 22, 1972

A RESOLUTION TO ESTABLISH A COMMISSION ON EQUAL EMPLOYMENT OPPORTUNITIES (72/8)*

WHEREAS, The George Washington University has an avowed, publicly stated policy of non-discrimination in the recruitment, appointment and promotion of faculty; and

WHEREAS, Federal laws such as the Equal Pay Act of 1963, the Civil Rights Act of 1964, as amended with respect to Title VII in 1972, and the Higher Education Act of 1972 separately and together prohibit educational institutions from discriminating on the basis of race, color, religion, sex, or national origin with regard to hiring, promotion, granting of tenure and salary; therefore,

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY,

That the Faculty Senate recommends to the President that he establish a Commission on Equal Employment Opportunities whose purpose would be:

- (a) to seek ways to correct existing disparities and to improve compliance with existing federal civil rights laws, recent governmental orders and court decisions;
- (b) to promulgate non-discriminatory policies and to implement them for the benefit of all members of the University community;
- (c) to assure academic excellence, as well as to protect the integrity of the University.

Committee on Appointment, Salary and
Promotion Policies (including Fringe Benefits),
*as modified by Executive Committee

January 5, 1973

THE GEORGE WASHINGTON UNIVERSITY
Washington, D. C.

January 5, 1973

TO: Faculty Senate Members

FROM: Edwin L. Stevens, Chairman, *EL*
Executive Committee

RE: Request of Professor John F. Banzhaf III for Investigation
of University's Role in the Case of U.S. vs. Butler

At the request of Professor Banzhaf by his memos dated December 12, 1972, and January 3, 1973, respectively, to Professor Edwin L. Stevens, Chairman, Executive Committee, Faculty Senate, to defer the above matter to a later time because, as he states in the aforementioned memos, "both I and my colleague Professor Ralph Nash, who formally presented my resolution to the Faculty Senate, will be unable to appear at the regular scheduled meeting on January 19 since it will take place during the period for law school vacation," the Executive Committee, by a vote of 4 to 1, granted his request for a deferral and will place the matter on the agenda for the regular meeting of the Faculty Senate on February 9, 1973.

The Executive Committee
January 5, 1973

